

LARS T. FULLER (No. 141270)
SAM TAHERIAN (No. 170953)
THE FULLER LAW FIRM, P.C.
60 No. Keeble Ave.
San Jose, CA 95126
Telephone: (408)295-5595
Facsimile: (408) 295-9852

Attorneys for Debtor

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re

PIERCE CONTRACTORS, INC.

Debtor

Case No.: 21-50915-SLJ

**DECLARATION OF RICHARD PIERCE
IN SUPPORT OF MOTION TO IMPOSE
AUTOMATIC STAY AS TO ALL
CREDITORS**

Chapter 11
(Subchapter V)

Date: None Set
Time: None Set
Ctrm.: None Set

I, Richard Pierce, declare and say:

1. I am the principal of PIERCE CONTRACTORS, INC., which is the debtor herein.
2. At the time the previous petition was filed by this debtor, I anticipated to promptly receive funds from multiple sources. These funds would have easily enabled the debtor to reorganize.
3. For several reasons, no funds were available until well after a year after the previous petition was filed.
4. This delay was due to complicated legal issues, as set forth in the declaration of my state court counsel, which is filed concurrently.

6. I tried to reach and communicate with previous bankruptcy counsel for Debtor to discuss the details of a reorganization. However, I was not successful in reaching the former counsel.

7. I was later informed that one of the members of the law firm had become hospitalized, and then later, confined to bed rest.

8. Unfortunately, debtor's former counsel failed to submit a plan in response to the Order to Show Cause.

9. On June 11, I signed a substitution of attorney, seeking to appoint The Fuller Law Firm, PC, as new counsel for debtor. The Mlnarik Law Group did not sign the attorney substitution form until June 16. The Fuller Law Firm filed an Application to Employ on June 25, and a Response to the Order to Show Cause. However, the case was dismissed on July 1.

10. While it is true that the corporation status lapsed briefly during the pendency of the prior case, that issue was cured by April 2021.

I declare under penalty of perjury under the laws of the United States of America that I have personal knowledge of the foregoing, and the foregoing is true and correct to the best of my knowledge.

Executed in San Jose, California, on July 9, 2021

/s/ Richard Pierce
RICHARD PIERCE
DECLARANT